



Unpaid Principal Balance:	\$	76,288.76
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<b>Total Arrearage:</b>	\$	0.00
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<b>Total UPB and Arrearage:</b>	*\$	76,288.76
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**CERTIFICATE OF SERVICE**

On January 14, 2009, I served the foregoing **Proof of Claim** on the following individuals by electronic means through the Court's ECF program:

**COUNSEL FOR DEBTORS**

Patrick L. Forte  
plforte@sonic.net

**TRUSTEE**

Martha G. Bronitsky  
13trustee@oak13.com

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

\_\_\_\_\_  
/s/ Cretu Andrada

On January 14, 2009, I served the foregoing **Proof of Claim** on the following individuals by depositing true copies thereof in the United States mail at San Diego, California, enclosed in a sealed envelope, with postage paid, addressed as follows:

**DEBTORS**

Umoz Ogbonnaya Umozurike  
Uloma Muko Umozurike  
5559 Sunview Court  
Antioch CA 94531

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

\_\_\_\_\_  
/s/ Nancy Yang

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

08-47290

In re: **Umoz Ogonnaya Umozurike**  
**Uloma Muko Umozurike**

Case No.

**CHAPTER 13 PLAN**

Debtor(s).

1. The future earnings of the debtor(s) are submitted to the supervision and control of the trustee, and the debtor(s) will pay to the Trustee the sum of \$ **800.00** each month for **60** months.  
Debtor(s) elect a voluntary wage order. \_\_\_\_\_.

2. From the payments received, the Trustee will make disbursements in accordance with the Distribution Guidelines as follows:  
(a) On allowed claims for expenses of administration required by 11 USC §507.  
(b) On allowed secured claims, which shall be treated and valued as follows:

			Value of	Claim	Pre-confirmation	Post	Estimated	
		Name	Collateral	Amount	Adequate	confirmation	Mortgage	Interest Rate
\$506	Non \$506				Protection	Payments	Arrears	(If Specified)
		-NONE-						

With respect to secured claims per §506, valuation stated shall bind unless a timely objection to confirmation is filed. With respect to non §506 secured claims as referenced in §1325, the claim, to the extent allowed, shall control. If an interest rate is not specified, 5/6% per month (10% per annum) will be paid. A secured creditor shall retain its lien until the earlier of the payment of the underlying debt determined under non-bankruptcy law or discharge under section §1328.

- (c) On allowed priority unsecured claims in the order prescribed by 11 USC § 507. Priority claims shall be paid in full except to the extent allowed otherwise under 11 U.S.C. § 1322(a)(4).  
(d) On allowed general unsecured claims the debtor(s) estimate(s) the general unsecured claims will be paid **Pro Tanto** %.
3. The following executory contracts are rejected. The debtor(s) waive the protections of the automatic stay provided in 11 U.S.C. § 362 to enable the affected creditor to obtain possession and dispose of its collateral without further order of the court. Any allowed unsecured claim for damages resulting from rejection will be paid under paragraph 2(d).  
**-NONE-**

4. The debtor(s) will pay directly the following fully secured creditors and lessors:

Name	Monthly Payment
<b>Countrywide Home Loans</b>	<b>3,600.00</b>
<b>IndyMac Bank</b>	<b>N/A</b>
<b>Toyota Motor Credit</b>	<b>417.00</b>

5. The date this case was confirmed will be the effective date of the plan.
6. The debtor(s) elect to have property of the estate revert in the debtor(s) upon plan confirmation. Once the property reverts, the debtor(s) may sell or refinance real or personal property without further order of the court, upon approval of the Chapter 13 Trustee.
7. The debtor(s) further propose pursuant to 11 USC § 1322(b): (1) In the event a secured creditor obtains relief from stay, that creditor's claim shall be classified as an unsecured claim from and after the date creditor recovers possession; (2) The real property located at 3493 Summit Way, Antioch, CA shall be surrendered to Washington Mutual, Washington Mutual and the Contra Costa County Tax Collector; (3) The 2009 Toyota Camry is to be paid directly; (4) The student loan is to be paid directly to the US Dept. of Education; (5) Debtors shall strip the lien of IndyMac Bank which shall be discharged as an unsecured claim upon the completion of the plan.

Dated: December 9, 2008

/s/ Umoz Ogonnaya Umozurike  
(Debtor)

/s/ Uloma Muko Umozurike  
(Debtor)

I/We Patrick L. Forte am/are legal counsel for the above named debtors(s) and hereby certify that the foregoing Chapter 13 Plan is a verbatim replica of this N.D. Cal., Oakland Division Model Chapter 13 Plan (October 2005), promulgated pursuant to B.L.R. 1007-1.

/s/ Patrick L. Forte  
Attorney for Debtor(s)

In re **Umoz Ogonnaya Umozurike**  
**Uloma Muko Umozurike**

Case No. \_\_\_\_\_

Debtor(s)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status: <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S): <b>Children</b>	AGE(S): <b>14, 11, 8</b>
<b>Employment:*</b>	DEBTOR	SPOUSE
Occupation	<b>Claims Representative</b>	<b>Registered Nurse</b>
Name of Employer	<b>Employment Development Dept.</b>	<b>Children's Hospital</b>
How long employed	<b>Sixteen (16) years</b>	<b>Ten (10) years</b>
Address of Employer	<b>P.O. Box 12906 Oakland, CA 94604</b>	<b>747 - 52nd St. Oakland, CA 94609</b>
<b>*See Attachment for Additional Employment Information</b>		

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)

2. Estimate monthly overtime

	DEBTOR	SPOUSE
1.	\$ <u>4,256.00</u>	\$ <u>6,638.00</u>
2.	\$ <u>0.00</u>	\$ <u>0.00</u>

3. SUBTOTAL

\$ <u>4,256.00</u>	\$ <u>6,638.00</u>
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4. LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify): \_\_\_\_\_

\$ <u>1,708.00</u>	\$ <u>2,448.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>

5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ <u>1,708.00</u>	\$ <u>2,448.00</u>
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6. TOTAL NET MONTHLY TAKE HOME PAY

\$ <u>2,548.00</u>	\$ <u>4,190.00</u>
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7. Regular income from operation of business or profession or farm (Attach detailed statement)

8. Income from real property

9. Interest and dividends

10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above

11. Social security or government assistance

(Specify): \_\_\_\_\_

\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>

12. Pension or retirement income

13. Other monthly income

(Specify): **Sutter Delta Medical Center**

\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>
\$ <u>0.00</u>	\$ <u>2,803.00</u>
\$ <u>0.00</u>	\$ <u>0.00</u>

14. SUBTOTAL OF LINES 7 THROUGH 13

\$ <u>0.00</u>	\$ <u>2,803.00</u>
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15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

\$ <u>2,548.00</u>	\$ <u>6,993.00</u>
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16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ <u>9,541.00</u>
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(Report also on Summary of Schedules and, if applicable, on  
Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

In re Umoz Ogbonnaya Umozurike Case No. \_\_\_\_\_  
Uloma Muko Umozurike Debtor(s)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**  
**Attachment for Additional Employment Information**

<b>Spouse</b>		
Occupation	<b>Registered Nurse</b>	
Name of Employer	<b>Sutter Delta Medical Center</b>	
How long employed	<b>Two (2) years, nine (9) months</b>	
Address of Employer	<b>3901 Lone Tree Way Antioch, CA 94509</b>	

In re **Umoz Ogbonnaya Umozurike**  
**Uloma Muko Umozurike**

Debtor(s)

Case No. \_\_\_\_\_

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<b>3,600.00</b>
a. Are real estate taxes included? Yes <u>    </u> No <u><b>X</b></u>		
b. Is property insurance included? Yes <u>    </u> No <u><b>X</b></u>		
2. Utilities:		
a. Electricity and heating fuel	\$	<b>390.00</b>
b. Water and sewer	\$	<b>80.00</b>
c. Telephone	\$	<b>0.00</b>
d. Other <u><b>See Detailed Expense Attachment</b></u>	\$	<b>166.00</b>
3. Home maintenance (repairs and upkeep)	\$	<b>30.00</b>
4. Food	\$	<b>915.00</b>
5. Clothing	\$	<b>150.00</b>
6. Laundry and dry cleaning	\$	<b>30.00</b>
7. Medical and dental expenses	\$	<b>40.00</b>
8. Transportation (not including car payments)	\$	<b>750.00</b>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<b>100.00</b>
10. Charitable contributions	\$	<b>60.00</b>
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	<b>100.00</b>
b. Life	\$	<b>319.00</b>
c. Health	\$	<b>0.00</b>
d. Auto	\$	<b>227.00</b>
e. Other <u>    </u>	\$	<b>0.00</b>
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) <u><b>Property taxes</b></u>	\$	<b>667.00</b>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	<b>417.00</b>
b. Other <u><b>Student Loan</b></u>	\$	<b>300.00</b>
c. Other <u>    </u>	\$	<b>0.00</b>
14. Alimony, maintenance, and support paid to others	\$	<b>0.00</b>
15. Payments for support of additional dependents not living at your home	\$	<b>0.00</b>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<b>0.00</b>
17. Other <u><b>Cell phone</b></u>	\$	<b>200.00</b>
Other <u><b>Grooming</b></u>	\$	<b>200.00</b>
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	<b>8,741.00</b>
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:		

**20. STATEMENT OF MONTHLY NET INCOME**

a. Average monthly income from Line 15 of Schedule I	\$	<b>9,541.00</b>
b. Average monthly expenses from Line 18 above	\$	<b>8,741.00</b>
c. Monthly net income (a. minus b.)	\$	<b>800.00</b>

In re **Umoz Ogbonnaya Umozurike**  
**Uloma Muko Umozurike**

Debtor(s)

Case No. \_\_\_\_\_

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)****Detailed Expense Attachment****Other Utility Expenditures:**

<b>Garbage</b>	\$	<b>36.00</b>
<b>Cable, telephone, internet</b>	\$	<b>130.00</b>
<b>Total Other Utility Expenditures</b>	\$	<b>166.00</b>